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February 10, 2023

VIA ECF

Hon. Jennifer H. Rearden
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 100007

Re: *Sapon Araus et al v. Fav Pizza Corp. et al*
No. 22 Civ. 9756 (JHR)

Dear Judge Rearden:

We represent Plaintiffs in the above-referenced matter and submit this status report pursuant to the Court's January 30, 2023 Order (ECF No. 11).

1. Louis Pechman and Galen C. Baynes are counsel for Plaintiffs. No appearance has been made for Defendants to date.
2. Plaintiffs bring claims for unpaid minimum and overtime wages and other damages under the Fair Labor Standards Act ("FLSA") and New York Labor Law ("NYLL").
3. This Court has subject matter jurisdiction over this case pursuant to 29 U.S.C. §216(b) and 28 U.S.C §§ 1331 and 1337 and it has supplemental jurisdiction over Plaintiffs' NYLL claims pursuant to 28 U.S.C. § 1367. Venue is proper in this District under 28 U.S.C. § 1391 because the events giving rise to Plaintiffs' claims occurred at Fav Pizza Corp. d/b/a Francesco Pizzeria, which is located and operated by Defendants in the Southern District of New York.
4. Corporate Defendant Fav Pizza Corp. was served on December 21, 2022 and its Answer was due on January 11, 2023. ECF No. 10. No Answer has been filed to date. Individual Defendants Vitto and Margherita Rappa were served on February 4, 2023 and their Answers are due February 27, 2023. ECF Nos. 12-13.

Respectfully submitted,

/s/ Galen C. Baynes

Galen C. Baynes